

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MAVERICK RECORDING COMPANY, a California joint venture; WARNER BROS. RECORDS INC., a Delaware corporation; PRIORITY RECORDS LLC, a California limited liability company; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; BMG MUSIC, a New York general partnership; and ARISTA RECORDS LLC, a Delaware limited liability company,)
Plaintiffs,)
vs.)
DAVE MICHEL,)
Defendant.)

COMPLAINT FOR COPYRIGHT INFRINGEMENT

Plaintiffs, MAVERICK RECORDING COMPANY; WARNER BROS. RECORDS INC.; PRIORITY RECORDS LLC; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; BMG MUSIC; and ARISTA RECORDS LLC, by their attorneys, for their complaint against Defendant DAVE MICKEL, allege as follows:

NATURE OF THE ACTION

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. §101, et seq.).

JURISDICTION AND VENUE

2. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 et seq.).

3. This Court has jurisdiction under 17 U.S.C. § 101 et seq.; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

4. This Court has personal jurisdiction over the Defendant, and venue in this District is proper under 28 U.S.C. § 1391(b) and 28 U.S.C. § 1400(a), in that the Defendant resides in this District, and the acts of infringement complained of herein occurred in this District.

PARTIES

5. Plaintiff Maverick Recording Company is a joint venture between SR/MDM Venture Inc. and Maverick Records LLC, organized and existing under the laws of the State of California, with its principal place of business in the State of California.

6. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

7. Plaintiff Priority Records LLC is a limited liability company with its principal place of business in the State of California.

8. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

9. Plaintiff SONY BMG MUSIC ENTERTAINMENT is a Delaware general partnership, with its principal place of business in the State of New York.

10. Plaintiff BMG Music is a general partnership duly organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

11. Plaintiff Arista Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

12. Plaintiffs are informed and believe that Defendant is an individual residing in this District.

COUNT I
INFRINGEMENT OF COPYRIGHTS

13. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

14. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright with respect to certain copyrighted sound recordings (the "Copyrighted Recordings"). The Copyrighted Recordings include but are not limited to each of the copyrighted sound recordings identified in Exhibit A attached hereto, each of which is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights. In addition to the sound recordings listed on Exhibit A, Copyrighted Recordings also include certain of the sound recordings listed on Exhibit B which are owned by or exclusively licensed to one or more of the Plaintiffs or Plaintiffs' affiliate record labels, and which are subject to valid Certificates of Copyright Registration issued by the Register of Copyrights.

15. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

16. Plaintiffs are informed and believe that Defendant, without the permission or consent of Plaintiffs, has used, and continues to use, an online media distribution system to download the Copyrighted Recordings, to distribute the Copyrighted Recordings to the public, and/or to make the Copyrighted Recordings available for distribution to others. In doing so, Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Defendant's actions constitute infringement of Plaintiffs' copyrights and exclusive rights under copyright.

17. Plaintiffs have placed proper notices of copyright pursuant to 17 U.S.C. § 401 on each respective album cover of each of the sound recordings identified in Exhibit A. These notices of copyright appeared on published copies of each of the sound recordings identified in Exhibit A. These published copies were widely available, and each of the published copies of the sound recordings identified in Exhibit A was accessible by Defendant.

18. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiffs.

19. As a result of Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) for Defendant's infringement of each of the Copyrighted Recordings. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

20. The conduct of Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17

U.S.C. §§ 502 and 503, Plaintiffs are entitled to injunctive relief prohibiting Defendant from further infringing Plaintiffs' copyrights, and ordering Defendant to destroy all copies of sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against Defendant as follows:

1. For an injunction providing:

"Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control."

2. For statutory damages for each infringement of each Copyrighted

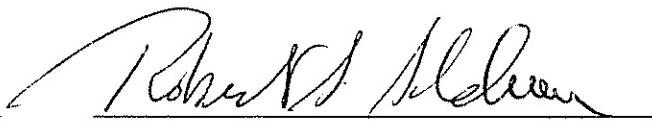
Recording pursuant to 17 U.S.C. § 504.

3. For Plaintiffs' costs in this action.

4. For Plaintiffs' reasonable attorneys' fees incurred herein.

5. For such other and further relief as the Court may deem just and proper.

DATED: September 19, 2006



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ENTERTAINMENT; BMG MUSIC; and
ARISTA RECORDS LLC

EXHIBIT “A”

EXHIBIT A**DAVE MICKEL**

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Maverick Recording Company	Candlebox	Far Behind	Candlebox	171-393
Warner Bros Records Inc.	Green Day	Basket Case	Dookie	185-457
Priority Records LLC	Ice Cube	You Can Do It	War & Peace: Vol. 2	287-151
UMG Recordings, Inc.	Counting Crows	A Long December	Recovering The Satellites	226-415
SONY BMG MUSIC ENTERTAINMENT	Will Smith	Miami	Big Willie Style	249-123
BMG Music	Clint Black	Like The Rain	Greatest Hits	227-957
BMG Music	Dave Matthews Band	If I Had It All	Everyday	300-313
UMG Recordings, Inc.	Ludacris	Move Bitch	Word of Mouf	304-605
SONY BMG MUSIC ENTERTAINMENT	Incubus	Nice to Know You	Morning View	306-181
Arista Records LLC	Avril Lavigne	Losing Grip	Let Go	312-786

EXHIBIT “B”

UserLog(Compressed).txt
 Log for User at address 12.218.93.21:6346 generated on 10/17/2005 10:55:51 AM EDT (-0400 GMT)
 Total Files: 316

 Total Audio Files: 304
 Total Video Files: 0
 Total Software Files: 2
 Total Document Files: 0

 Total Matched Files: 30
 Total Distinct Matches: 15

FileName: (Britney Spears)-My Perogative.mp3 (4,154,995 bytes)
 FileName: (Toad the Wet Sproket) - Walk on the Ocean.mp3 (2,891,486 bytes)
 FileName: 03 franz ferdinand - shopping for blood.mp3 (5,119,544 bytes)
 FileName: 04 - The Fresh Prince of Bel Aire Theme.mp3 (2,836,992 bytes)
 FileName: 04 Gorillaz - Demon Days - 04 - O Green World.mp3 (3,165,627 bytes)
 FileName: 06-bobby_valentino-tell_me.mp3 (6,653,243 bytes)
 FileName: 07 Got It Twisted.mp3 (4,705,250 bytes)
 FileName: 08 Darts Of Pleasure.mp3 (3,596,823 bytes)
 FileName: 10 Come On Home.mp3 (4,531,464 bytes)
 FileName: 50 cent ft. Tony YaYo - Face Down.mp3 (3,993,895 bytes)
 FileName: 50 CENT Outta Control Remix Feat Mobb Deep.mp3 (5,144,417 bytes)
 FileName: 69 Boys - Tootsie Roll.mp3 (4,104,192 bytes)
 FileName: 7-The Offspring - Come Out And Play.mp3 (3,165,622 bytes)
 FileName: 80s - Bon Jovi - Living on a Prayer.mp3 (4,000,705 bytes)
 FileName: Adema - Unstable.mp3 (4,615,024 bytes)
 FileName: Afro Man - Afrorman - Back To School.mp3 (5,537,960 bytes)
 FileName: afro man - afrorman mississippi.mp3 (5,741,505 bytes)
 FileName: Afro Man - Colt 45.mp3 (5,685,248 bytes)
 FileName: Afro Man - Girls.mp3 (4,217,174 bytes)
 FileName: Afro Man - Hush.mp3 (4,476,342 bytes)
 FileName: Afro Man - Palmdale.mp3 (6,401,463 bytes)
 FileName: Afro Man - Sell Your Dope - 06 - Sell Your Dope.mp3 (4,710,400 bytes)
 FileName: Afro Man - She Won't Let Me.mp3 (5,832,832 bytes)
 FileName: Afro Man - Tumbleweed.mp3 (5,137,972 bytes)
 FileName: Afro Man - Your Pretty when I'm Drunk.mp3 (2,029,398 bytes)
 FileName: Afrorman - Lets all get drunk.mp3 (1,382,528 bytes)
 FileName: Alan Jackson & Jimmy Buffett - It's Five O'clock Somewhere(5).mp3 (9,355,264 bytes)
 FileName: Alan Jackson - Chatahoochee.mp3 (3,824,872 bytes)
 FileName: alan jackson - She Don't Know She's Beautiful.mp3 (2,794,313 bytes)
 FileName: Alan Jackson - When Daddy Let Me Drive.mp3 (5,826,560 bytes)
 FileName: Anna Nalick-Just Breathe.mp3 (6,127,995 bytes)
 FileName: ashanti - baby.mp3 (6,377,976 bytes)
 FileName: Avril Lavigne - Complicated.mp3 (3,928,816 bytes)
 FileName: AVRIL LAVIGNE - DON'T TELL ME.mp3 (3,221,504 bytes)
 FileName: Avril Lavigne - I'm With You.mp3 (5,376,128 bytes)
 FileName: Avril Lavigne - Losing Grip.mp3 (5,601,199 bytes)
 FileName: Beach Boys - Wouldn't It Be Nice.mp3 (2,445,704 bytes)
 FileName: Big n Rich - Save a Horse, Ride a Cowboy.mp3 (4,859,403 bytes)
 FileName: Big Pun & Donell Jones - Its So Hard.mp3 (3,310,655 bytes)
 FileName: Big Pun - Don't Wanna Be A Player.mp3 (3,779,816 bytes)
 FileName: Biggie Smalls - Notorious Thugs.mp3 (5,875,218 bytes)
 FileName: Biz Markie - Just A Friend.mp3 (3,888,692 bytes)
 FileName: Black Eyed Peas - Dont Lie.mp3 (5,620,610 bytes)
 FileName: Black eyed peas - Lady Lumps.mp3 (5,389,792 bytes)
 FileName: Blackstreet-Don't Leave Me Girl.mp3 (5,064,980 bytes)
 FileName: Blaque - Junk in the trunk.mp3 (5,543,720 bytes)
 FileName: bob marley - baby i love your way.mp3 (4,229,225 bytes)
 FileName: Bon jovi - Always.mp3 (5,656,720 bytes)
 FileName: Brain mcnight - 6 months, 8 days, 12 hours Brian McKnight.mp3 (3,967,772

UserLog(Compressed).txt

bytes)

FileName: Brian McKnight- Everytime We Say Goodbye.mp3 (3,923,968 bytes)
 FileName: Britney Spears - I Love Rock N Roll.mp3 (2,985,448 bytes)
 FileName: Brittney Spears - Baby One More Time.mp3 (3,393,536 bytes)
 FileName: Brittney Spears - Oops, I Did It Again.mp3 (4,103,314 bytes)
 FileName: Brittney Spears Toxic.mp3 (4,916,800 bytes)
 FileName: Brooks Dunn - Play Something Country.mp3 (7,805,568 bytes)
 FileName: Bryan Adams - Everything I Do I Do It For You.mp3 (6,299,732 bytes)
 FileName: Bush - Machine Head.mp3 (4,104,692 bytes)
 FileName: Candlebox - Far Behind.mp3 (4,712,326 bytes)
 FileName: Christina Aguilera - Beautiful.mp3 (3,819,520 bytes)
 FileName: Christina Aguilera, Lil' Kim, Mya, Pink & Missy Elliot - Lady Marmalade (Moulin Rouge SdTk).mp3 (6,371,578 bytes)
 FileName: Christina Agulara - what a girl wants.mp3 (3,710,351 bytes)
 FileName: Christina Agulara-Dirty.mp3 (5,724,160 bytes)
 FileName: Clint Black - Like The Rain.mp3 (3,655,568 bytes)
 FileName: Coldplay - Speed of Sound.mp3 (7,465,626 bytes)
 FileName: Counting Crows - A Long December.mp3 (4,763,864 bytes)
 FileName: Counting Crows - Mr. Jones.mp3 (4,303,178 bytes)
 FileName: Counting Crows - Round Here (acoustic) (1).mp3 (3,130,808 bytes)
 FileName: Country - Tim Mcgraw - Just to see you smile.mp3 (3,408,654 bytes)
 FileName: Country Tim Mcgraw - BBQ Stain.mp3 (2,906,338 bytes)
 FileName: Country-How am I doing-Derks Bently.wma (3,728,759 bytes)
 FileName: Cracker - Low.mp3 (4,397,181 bytes)
 FileName: Craig Morgan - Redneck yatch club.mp3 (5,543,060 bytes)
 FileName: D12 ft. Eminem - How Come .mp3 (5,710,128 bytes)
 FileName: Dave Mathews Band - Ants Marching.mp3 (3,735,844 bytes)
 FileName: Dave Mathews Band - Lovers tonight, friends tomorrow.mp3 (4,284,368 bytes)
 FileName: Dave Mathews Band - Stay (Wasting Time).mp3 (5,355,114 bytes)
 FileName: Dave Mathews Band - Walking in Memphis.mp3 (1,900,544 bytes)
 FileName: Dave Matthews Band - American Baby.mp3 (4,505,890 bytes)
 FileName: Dave Matthews Band - Crush.mp3 (3,991,995 bytes)
 FileName: Dave Matthews Band - If I Had It All.mp3 (3,891,200 bytes)
 FileName: Dave Matthews Band - Stand Up - 01 - Dreamgirl.mp3 (4,944,000 bytes)
 FileName: Derks Bently-What was I thinking.wma (3,740,195 bytes)
 FileName: Dishwalla - Counting Blue Cars.mp3 (4,671,616 bytes)
 FileName: DJ Dangermouse - Beatles-Jay Z - The Grey Album - 03 - Encore.mp3 (3,854,818 bytes)
 FileName: DJ Jorgen (Alice DeeJay) - I Can See It In Your Eyes.mp3 (3,593,196 bytes)
 FileName: Donnie Darko - Mad World.mp3 (7,587,840 bytes)
 FileName: Donnie Darko Soundtrack - Tears for Fears - Head over Heals (1).mp3 (4,849,664 bytes)
 FileName: Dr. Dre - Ain't Nothing But a G Thang (feat. Snoop Dogg).mp3 (3,872,809 bytes)
 FileName: drinking songs - Power Hour Mix.mp3 (68,813,763 bytes)
 FileName: Dunkin Sheik - Barely Breathing.mp3 (4,151,373 bytes)
 FileName: Duran Duran - Ordinary World.mp3 (5,384,150 bytes)
 FileName: Eminem - 8 Mile Freestyle Battles.mp3 (8,149,576 bytes)
 FileName: Eminem - 97' Bonnie an' Clyde.mp3 (2,532,265 bytes)
 FileName: Eminem - Ass Like That.mp3 (5,898,240 bytes)
 FileName: Eminem - Just Lose It.mp3 (4,950,144 bytes)
 FileName: Eminem - Smoke Weed [f Dr. Dre, Tupac, Jay Z, Puff Daddy, TLC, DMX, Big Pun, Eminem, Sisqo, Ice Cube, Missy Elliot & Eve].wav (3,188,780 bytes)
 FileName: Eminem - Without Me.mp3 (4,700,915 bytes)
 FileName: Franz Ferdinand - 40 ft.mp3 (5,002,732 bytes)
 FileName: Franz Ferdinand - Don't start.mp3 (4,207,022 bytes)
 FileName: Franz Ferdinand - Love and destroy.mp3 (5,773,116 bytes)
 FileName: Franz Ferdinand - Matinee.mp3 (6,147,397 bytes)
 FileName: Franz Ferdinand - Bang bang.mp3 (4,305,416 bytes)
 FileName: Franz Ferdinand - Better On Holiday.mp3 (5,605,727 bytes)
 FileName: Franz Ferdinand - Cheating on you.mp3 (3,857,817 bytes)
 FileName: Franz Ferdinand - Truck stop.mp3 (6,217,618 bytes)
 FileName: Franz Ferdinand - Van Tango.mp3 (4,120,652 bytes)

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FileName: Franz Ferdinand 07 This Fire.mp3 (5,711,616 bytes)
 FileName: Franz Ferdinand- Michael.mp3 (4,906,059 bytes)
 FileName: Fuel - Shimmer.mp3 (3,420,018 bytes)
 FileName: G-Unit - 50 Cent, Lloyd Banks and Tony Yayo - 3 Kings (Remix).mp3 (3,409,712 bytes)
 FileName: Garbage - 05 - Bleed Like Me.mp3 (5,714,854 bytes)
 FileName: Garbage - Crush.MP3 (4,584,594 bytes)
 FileName: Garbage - I Think I'm Paranoid.mp3 (3,482,912 bytes)
 FileName: Garbage - I'm Only Happy when It Rains.mp3 (3,312,274 bytes)
 FileName: Garbage - Push It.mp3 (3,875,330 bytes)
 FileName: Garbage - Queer.mp3 (4,422,549 bytes)
 FileName: Garbage - Special.mp3 (3,576,663 bytes)
 FileName: Garbage - Stupid Girl.mp3 (4,144,190 bytes)
 FileName: Garbage - Why Do You Love Me.mp3 (6,857,390 bytes)
 FileName: Gerald Lavert & Keith Sweat & Johnny Gill - My Body.mp3 (3,941,984 bytes)
 FileName: Goo Goo Dolls - Black Balloon (acoustic).mp3 (4,421,632 bytes)
 FileName: Gorillaz - 12 - DARE.mp3 (3,913,728 bytes)
 FileName: Gorillaz - Clint Eastwood (FULL VERSION).MP3 (5,685,248 bytes)
 FileName: Gorillaz - Demon Days - 03 - Kids With Guns.mp3 (5,426,380 bytes)
 FileName: Gorillaz - Demon Days - 05 - Dirty Harry.mp3 (3,668,858 bytes)
 FileName: Gorillaz - Demon Days - 07 - El Manana.mp3 (3,731,949 bytes)
 FileName: Gorillaz - Demon Days - 14 - Don't Get Lost in Heaven.mp3 (4,826,254 bytes)
 FileName: Gorillaz - Dracula.mp3 (4,505,600 bytes)
 FileName: Gorillaz - Tomorrow Comes Today.mp3 (3,117,056 bytes)
 FileName: Gorillaz-Feel Good Inc..mp3 (3,576,218 bytes)
 FileName: Grease - Soundtrack - Better Shape Up.mp3 (2,336,201 bytes)
 FileName: Grease Soundtrack - Summer Loving.mp3 (3,470,861 bytes)
 FileName: Grease Soundtrack - We Go Together.mp3 (2,871,296 bytes)
 FileName: Green Day - Basket Case.mp3 (2,936,291 bytes)
 FileName: Green Day - Burnout.mp3 (2,046,048 bytes)
 FileName: Green Day - Longview.mp3 (3,821,538 bytes)
 FileName: Greenday - Wake Me Up When September Ends.mp3 (6,845,915 bytes)
 FileName: Greenday - When I Come Around.mp3 (3,598,336 bytes)
 FileName: Hootie and the Blowfish - Every Time I Look Around.mp3 (3,020,224 bytes)
 FileName: Hootie and the Blowfish - Let Her Cry.mp3 (4,879,299 bytes)
 FileName: Hootie And The Blowfish- Lean On Me.mp3 (3,849,114 bytes)
 FileName: Hottie And The Blowfish - Hold My Hand.mp3 (4,097,298 bytes)
 FileName: Ice Cube- You Can Do It (Put Your Back Into It) - Save The Last Dance Soundtrack.mp3 (6,203,520 bytes)
 FileName: Incubus - A Certain Shade of Green.mp3 (3,062,144 bytes)
 FileName: Incubus - Anti-Gravity Love Song (acoustic).mp3 (4,493,440 bytes)
 FileName: Incubus - Battlestar Scralatchtca.mp3 (3,672,064 bytes)
 FileName: Incubus - Beware! Criminal.mp3 (3,227,648 bytes)
 FileName: Incubus - Certain Shades of Green (Acoustic).mp3 (4,201,743 bytes)
 FileName: Incubus - Consequence.mp3 (3,184,151 bytes)
 FileName: Incubus - Echo.mp3 (3,464,549 bytes)
 FileName: Incubus - Favourite Things.mp3 (3,061,637 bytes)
 FileName: Incubus - Hilikus.mp3 (3,140,658 bytes)
 FileName: Incubus - I Miss You.mp3 (4,050,371 bytes)
 FileName: Incubus - Just A Phase.mp3 (3,977,344 bytes)
 FileName: Incubus - Make A Move.mp3 (3,115,048 bytes)
 FileName: Incubus - Megalomaniac (Official).mp3 (6,457,468 bytes)
 FileName: Incubus - Mexico (acoustic).mp3 (6,262,044 bytes)
 FileName: Incubus - new - Are You In.mp3 (4,263,936 bytes)
 FileName: incubus - New Skin (Acoustic).mp3 (4,262,347 bytes)
 FileName: Incubus - Nice To Know You.mp3 (4,569,088 bytes)
 FileName: Incubus - Nowhere Fast.mp3 (6,491,671 bytes)
 FileName: Incubus - Pardon Me (Acoustic).mp3 (3,754,102 bytes)
 FileName: Incubus - Pardon Me.mp3 (5,379,482 bytes)
 FileName: Incubus - Psychopsilocybin.mp3 (4,173,863 bytes)
 FileName: Incubus - Science - 12 - Calgone.mp3 (5,095,424 bytes)
 FileName: Incubus - Stellar.mp3 (3,213,229 bytes)

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FileName: Incubus - Talk Shows On Mute.mp3 (5,502,282 bytes)
 FileName: Incubus - The Warmth.mp3 (6,359,387 bytes)
 FileName: Incubus - Under My Umbrella.mp3 (3,422,806 bytes)
 FileName: Incubus - Warning.mp3 (6,744,379 bytes)
 FileName: Incubus - Wish You Were Here.mp3 (5,126,048 bytes)
 FileName: INXS - Devil Inside.mp3 (5,036,561 bytes)
 FileName: J-Kwon ft Petey Pablo - Get XXX'd.mp3 (3,803,839 bytes)
 FileName: Jack Johnson - Bob Marley Sublime Medley.mp3 (2,556,032 bytes)
 FileName: Jack Johnson - She's Only Happy In The Sun.mp3 (5,390,025 bytes)
 FileName: Jack Johnson - Sitting, Wishing, Waiting.mp3 (2,856,717 bytes)
 FileName: Jay Z ft. Biggie Smalls - Brooklyn's finest.mp3 (4,440,816 bytes)
 FileName: Jay-Z & Beyonce - '03 Bonnie and Clyde.mp3 (4,933,537 bytes)
 FileName: Jay-Z - Big Pimpin.mp3 (6,789,394 bytes)
 FileName: jayz - can i get a fuck you (6).mp3 (5,021,373 bytes)
 FileName: Jermaine Dupree - I Gotta Getcha.mp3 (5,013,057 bytes)
 FileName: Jessica Simpson - These Boots (Are Made For Walkin').mp3 (3,838,085 bytes)
 FileName: Jimmy Buffett - If You Like Pina Coladas.mp3 (4,028,416 bytes)
 FileName: Jock Jams - When i Dip You Dip We Dip.mp3 (3,438,592 bytes)
 FileName: Joe Cocker - Wonder Years Theme Song.mp3 (4,820,323 bytes)
 FileName: John Mayer - Your Body is a Wonderland.mp3 (4,096,000 bytes)
 FileName: Johnny Lee - Looking For Love (In All The Wrong Places).mp3 (3,575,947 bytes)
 FileName: Journey - Small Town Girl.mp3 (4,007,810 bytes)
 FileName: Juvenile - Back That Ass Up.mp3 (4,295,835 bytes)
 FileName: Keith Urban - Love Somebody Like You.MP3 (5,103,546 bytes)
 FileName: Keith Urban - Making Memories of Us.mp3 (6,031,488 bytes)
 FileName: Keith Urban - Raining on Sunday.mp3 (5,715,156 bytes)
 FileName: keith urban - You'll Think of Me.mp3 (4,700,888 bytes)
 FileName: Keith Urban- Days Go By.mp3 (5,646,506 bytes)
 FileName: Kenny Chesney - Back Where I Come From.mp3 (3,800,502 bytes)
 FileName: Lenny Kravitz - If I Could Fall In Love With You-Lenny - Blue Crush Soundtrack.mp3 (4,177,920 bytes)
 FileName: Lifehouse - You And Me.mp3 (4,537,862 bytes)
 FileName: Lil John & East Side Boyz - Get Low.mp3 (2,331,920 bytes)
 FileName: Limewire On Startup.lnk (1,536 bytes)
 FileName: Limewire.exe (81,920 bytes)
 FileName: Limewire.ico (13,806 bytes)
 FileName: Limewire.jar (5,262,588 bytes)
 FileName: Limewire20.dll (32,768 bytes)
 FileName: LL Cool J - Doin It.mp3 (4,687,121 bytes)
 FileName: Loyd Banks -2004 Warm Up.mp3 (3,285,896 bytes)
 FileName: Loydd Banks vs. Cassidy - Track 10.mp3 (3,998,911 bytes)
 FileName: Ludacris & Lil' Flip Screwed Up.mp3 (7,035,853 bytes)
 FileName: Ludacris - blow it out your ass.mp3 (5,887,928 bytes)
 FileName: Ludacris - Move Bitch.mp3 (4,335,201 bytes)
 FileName: Ludacris - You's A Hoe.mp3 (5,107,257 bytes)
 FileName: Ludacris feat Bobby Valentino - Pimpin All Over The World.mp3 (8,737,995 bytes)
 FileName: Mariah Carey - Fantasy.mp3 (3,902,912 bytes)
 FileName: Matchbox 20 - Breakfast at Tiffanys.mp3 (3,518,584 bytes)
 FileName: MICHAEL JACKSON - Free Willie.mp3 (5,507,414 bytes)
 FileName: Michael Jackson - Man In The Mirror.mp3 (5,117,212 bytes)
 FileName: Michael Jackson - The Way You Make Me Feel.mp3 (4,760,555 bytes)
 FileName: Michael Jackson - Thriller.mp3 (5,722,825 bytes)
 FileName: Micheal Jackson - Black or White.mp3 (4,091,904 bytes)
 FileName: Micheal Jackson - Dont stop till ya get enough.mp3 (5,858,254 bytes)
 FileName: modest mouse - 02 The World At Large.mp3 (5,440,385 bytes)
 FileName: Modest Mouse - A Different City.mp3 (3,040,235 bytes)
 FileName: Modest Mouse - Alone Down There.mp3 (2,302,701 bytes)
 FileName: Modest Mouse - Bury Me With it.mp3 (4,624,006 bytes)
 FileName: Modest Mouse - Buttons To Push The Buttons.mp3 (2,297,856 bytes)
 FileName: Modest Mouse - Dramamine.mp3 (5,472,256 bytes)
 FileName: modest mouse - float on.mp3 (6,049,046 bytes)

UserLog(Compressed).txt

FileName: Modest Mouse - I Came As A Rat.mp3 (3,645,284 bytes)
 FileName: Modest Mouse - Karma's Pavement.mp3 (2,503,494 bytes)
 FileName: Modest Mouse - Paper Thin Walls.mp3 (2,893,510 bytes)
 FileName: Modest Mouse - Polar Opposites.mp3 (3,359,683 bytes)
 FileName: Modest Mouse - Satin in a Coffin.mp3 (3,524,736 bytes)
 FileName: Modest Mouse - Summer.mp3 (3,072,224 bytes)
 FileName: Modest Mouse - Talking Shit About A Pretty Sunset.mp3 (5,605,376 bytes)
 FileName: modest mouse - The Good Times Are Killing Me.mp3 (8,213,455 bytes)
 FileName: Modest Mouse - The Ocean Breathes Salty.mp3 (5,983,887 bytes)
 FileName: Modest Mouse Third Planet.mp3 (3,850,240 bytes)
 FileName: Mya & Jay-Z - Best Of Me (remix).mp3 (5,629,746 bytes)
 FileName: Mya - My Love Is Like Woah.mp3 (5,068,394 bytes)
 FileName: Mystical & Ice Cube- Drop it like it's hot (Remix feat. Bone thugs, DMX & more...).mp3 (4,595,308 bytes)
 FileName: N-Sync - This i promise you.mp3 (6,825,406 bytes)
 FileName: Nelly - Country Grammer .mp3 (4,434,176 bytes)
 FileName: Nelly - Hot In Here.mp3 (5,489,823 bytes)
 FileName: Nelly - Ride With Me.mp3 (4,668,238 bytes)
 FileName: Nelly - Smoke & Fuck All Day.mp3 (3,211,264 bytes)
 FileName: New Kids On The Block - Hangin' Tough.mp3 (3,755,084 bytes)
 FileName: New Kids On The Block - Please Don't Go Girl.mp3 (4,301,763 bytes)
 FileName: New Kids On The Block - Step By Step.mp3 (4,270,625 bytes)
 FileName: New Kids on the Block - The Right Stuff.Mp3 (3,492,813 bytes)
 FileName: Notorius Biggie Smalls - Sky is the Limit.mp3 (3,977,098 bytes)
 FileName: Nsync - I Drive Myself Crazy.mp3 (5,755,268 bytes)
 FileName: NSync - N Sync - God Must Have Spent A Little More Time On You.mp3 (4,504,927 bytes)
 FileName: Nsync ft Nelly - Girlfriend.mp3 (4,544,470 bytes)
 FileName: Oasis - Champagne Supernova.mp3 (7,166,790 bytes)
 FileName: Oasis - Wonderwall (Acoustic).mp3 (3,125,500 bytes)
 FileName: Offspring - Pretty Fly for a white Guy.mp3 (3,026,683 bytes)
 FileName: Old School Rap - Skeelo - I Wish I Was A Little Bit Taller(1).mp3 (5,966,495 bytes)
 FileName: Olivia Newton John - Hopelessly Devoted To You (Grease Soundtrack).mp3 (3,142,112 bytes)
 FileName: Our Lady Peace - Somewhere Out There.mp3 (6,033,408 bytes)
 FileName: Pink Flyod - Wish You Were Here.mp3 (3,794,617 bytes)
 FileName: Power Hour Rap_Hip Hop Mix.mp3 (59,779,569 bytes)
 FileName: Puddle of Mudd - Blurry.mp3 (7,290,494 bytes)
 FileName: Puff Daddy & Biggy - Hypnotize.mp3 (3,882,722 bytes)
 FileName: Punk Covers - Less Than Jake (Grease) - Summer Nights.mp3 (2,183,168 bytes)
 FileName: Radiohead - Creep.mp3 (3,788,381 bytes)
 FileName: Rascal Flatts - I Melt .mp3 (5,628,925 bytes)
 FileName: Rascal Flatts - Mayberry.mp3 (6,556,988 bytes)
 FileName: Rascal_Flatts_-_These_Days.mp3 (3,471,488 bytes)
 FileName: Salt N Peppa - Shoop.mp3 (3,979,389 bytes)
 FileName: Savage Garden - Truly Madly Deeply.mp3 (4,442,488 bytes)
 FileName: Silvertide - Blue Jeans.mp3 (4,344,306 bytes)
 FileName: Sisqo The Thong Song.mp3 (5,107,808 bytes)
 FileName: SouthPark - (Big Gay Al) - Back That Ass Up.mp3 (2,297,856 bytes)
 FileName: spacer.gif (49 bytes)
 FileName: Staind - Right Here.MP3 (3,610,944 bytes)
 FileName: Stained - It's Been a While.mp3 (6,393,585 bytes)
 FileName: Sublime - Summertime.mp3 (4,038,031 bytes)
 FileName: Sublime - The Wrong Way.mp3 (2,178,064 bytes)
 FileName: The Bravery - An Honest Mistake.mp3 (3,512,717 bytes)
 FileName: The Bravery - Honest Mistake.mp3 (4,425,374 bytes)
 FileName: The Game - 300 Bars (Full)(Dissin G. Unit, 50 Cent, Lloyd Banks, Young Buck, Tony Yayo, Olivia, Jay-Z, Memphis Bleek, DJ Who.mp3 (26,297,008 bytes)
 FileName: The Game Feat. 50 Cent -Hate it or Love it.mp3 (5,104,632 bytes)
 FileName: The Offspring - (Can't Get My) Head Around You.mp3 (3,237,888 bytes)
 FileName: The Offspring - Why Don't You Get A Job.mp3 (4,139,050 bytes)

UserLog(Compressed).txt

FileName: Third Eye Blind - Deep Inside Of You.mp3 (4,010,028 bytes)
FileName: Third Eye Blind - Graduate.mp3 (3,044,873 bytes)
FileName: Third Eye Blind - Hows It Going To Be.mp3 (4,051,072 bytes)
FileName: Third Eye Blind - Losing A Whole Year.mp3 (3,202,232 bytes)
FileName: Third Eye Blind - Slow Motion.mp3 (4,381,092 bytes)
FileName: Tim McGraw - BBQ Stain.mp3 (2,902,331 bytes)
FileName: Tim Mcgraw - Don't Take The Girl.mp3 (3,987,426 bytes)
FileName: Tim McGraw - I Like It, I Love It.mp3 (3,280,974 bytes)
FileName: Tim Mcgraw - Just to see you smile.mp3 (3,408,526 bytes)
FileName: Tim McGraw - Live Like You Were Dying.mp3 (7,856,871 bytes)
FileName: Tim McGraw - She's My Kind of Rain.mp3 (4,098,176 bytes)
FileName: Toad The Wet Sproket -- Something's Always Wrong.mp3 (4,774,280 bytes)
FileName: Tony Yayo - Fuck D-Block.mp3 (2,320,896 bytes)
FileName: Tony Yayo - Game Made A Mistake (Game Diss) (New Shit 2005).mp3 (6,844,864 bytes)
FileName: uninstall.exe (109,826 bytes)
FileName: badge.img (830 bytes)
FileName: limewire.gif (211 bytes)
FileName: Tony Yayo - Live By The Gun.mp3 (4,202,624 bytes)
FileName: Tony Yayo ft. 50 Cent - So Seductive (dirty).mp3 (5,182,276 bytes)
FileName: Tony Yayo ft. Mike Jones - Back Then (remix).mp3 (2,585,689 bytes)
FileName: Trina- I want my ass smacked featuring Ludacris.mp3 (3,825,138 bytes)
FileName: Twista ft. Drag-On - Twisted Heat.mp3 (4,196,491 bytes)
FileName: Vanilla Ice - Ice Ice Baby .mp3 (4,264,437 bytes)
FileName: Weezer - Beverly Hills.mp3 (8,013,824 bytes)
FileName: Weezer - The Sweater Song.mp3 (4,889,286 bytes)
FileName: Weezer -- Say It Aint So.mp3 (4,118,022 bytes)
FileName: Wheezer - Buddy Holly.mp3 (2,550,087 bytes)
FileName: wheezer - Island in the Sun.MP3 (1,395,246 bytes)
FileName: Whoo Kid - G-Unit Radio Part 11 - 07 - Tony Yayo - I'm A Hustler.mp3 (2,266,522 bytes)
FileName: Will Smith - Getting Jiggy With It.mp3 (3,688,749 bytes)
FileName: Will Smith - Just The Two Of Us.mp3 (5,037,452 bytes)
FileName: Will Smith - Miami.mp3 (3,166,597 bytes)
FileName: Young Buck - Let me in.mp3 (5,511,545 bytes)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MAVERICK RECORDING COMPANY; WARNER BROS. RECORDS INC.; PRIORITY RECORDS LLC; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; BMG MUSIC; and ARISTA RECORDS LLC

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)
LOS ANGELES, CALIFORNIA

(c) Attorney's (Firm Name, Address, and Telephone Number)

Robert S. Goldman Tel: 302-655-4200
Lisa C. McLaughlin Fax: 302-655-4210
Phillips, Goldman & Spence, P.A.
1200 North Broom Street
Wilmington, Delaware 19806

DEFENDANTS

DAVE MICHEL

County of Residence of First Listed Defendant Sussex

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question
(U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity
(Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)		Plaintiff and One Box for Defendant)	
PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an 'X' in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury—Med Malpractice	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury—Product Liability	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input checked="" type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce/ICC Rates/etc
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other		<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury			<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 892 Economic Stabilization Act
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus:	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 863 DIWC/DIWW 405(g))	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 921 Constitutionality of State Statutes
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 950 Magistrate Judgment
<input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 555 Prison Condition		
FEDERAL TAX SUITS				<input type="checkbox"/> 890 Other Statutory Actions
			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- | | | | | | | |
|--|---|--|---|---|---|--|
| <input checked="" type="checkbox"/> 1 Original | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 another district | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 District Judge from Magistrate Judgment |
|--|---|--|---|---|---|--|

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause
Do not cite jurisdictional statutes unless diversity)

17 U.S.C. § 501 et seq. – copyright infringement

VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION **DEMAND \$** **CHECK YES only if demanded in complaint**
UNDER F.R.C.P. 23 **Statutory damages; injunction JURY DEMAND:** Yes No

VIII. RELATED CASE(S)

IF ANY JUDGE Kent A. Jordan DOCKET NUMBER 04-882-KAJ, 04-969-KAJ, 04-1398-KAJ, 04-1399-KAJ, 1:04-CV-01454-KAJ, 1:05-cv-00517-KAJ, and 1:05-cv-00518-KAJ

DATE 9/18/06 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT# _____ AMOUNT _____ APPLYING IJP _____ JUDGE _____ MAG. JUDGE _____

AO FORM 85 RECEIPT (REV. 9/04)

United States District Court for the District of Delaware

06-582

Civil Action No. _____

**ACKNOWLEDGMENT
OF RECEIPT FOR AO FORM 85**

**NOTICE OF AVAILABILITY OF A
UNITED STATES MAGISTRATE JUDGE
TO EXERCISE JURISDICTION**

I HEREBY ACKNOWLEDGE RECEIPT OF 8 COPIES OF AO FORM 85.

9/19/06

(Date forms issued)

Chris Warnick

(Signature of Party or their Representative)

Chris Warnick

(Printed name of Party or their Representative)

Note: Completed receipt will be filed in the Civil Action